

SEP 30 2007

JOHN F. CONCORAN, CLERK  
BY:   
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JODY EUGENE CLEMENTS,**  
**Petitioner,**

**V.**

**COL. RONALD MATTHEWS,**  
**Respondent.**

**Civil Action No. 7:07-cv-00457**

## FINAL ORDER

**By: Hon. Glen E. Conrad**  
**United States District Judge**

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the above-referenced petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice, pursuant to Rule 4 of the Rules Governing § 2254 Proceedings, and that the action is hereby **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner.

**ENTER:** This 30<sup>th</sup> day of September, 2007.

Josh Conrad

United States District Judge